

**SEMINOLE COUNTY GOVERNMENT  
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION  
AGENDA MEMORANDUM**

**SUBJECT:** Longwood Hills Condominium Rezone and Small Scale Future Land Use Amendment

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** April Boswell **CONTACT:** Michael Rumer **EXT.** 7431

**Agenda Date** 10/04/06 **Regular** ☐ **Work Session** ☐ **Briefing** ☐  
**Special Hearing – 6:00** ☐ **Public Hearing – 7:00** ☒

**MOTION/RECOMMENDATION:**

1. **RECOMMEND APPROVAL** of the request for a Small Scale Land Use Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) and rezone from A-1 (Agriculture) to PUD (Planned Unit Development) for a 16-unit condominium development on 3.8± acres, located on the north side of Longwood Hills Road and west of CR 427, and approval of the attached Preliminary Master Plan and Development Order, per staff findings; (Mike Towers, applicant); or
2. **RECOMMEND DENIAL** of the request for a Small Scale Land Use Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) and rezone from A-1 (Agriculture) to PUD (Planned Unit Development) for a 16-unit condominium development on 3.8± acres, located on the north side of Longwood Hills Road and west of CR 427; (Mike Towers, applicant); or
3. **CONTINUE** the item to a time and date certain.

District 4 – Henley

Michael Rumer, Senior Planner

**BACKGROUND:**

The applicant, Mike Towers, requests the rezoning of approximately 3.8 acres, located on the north side of Longwood Hills Road and west of CR 427, from A-1 (Agriculture) to PUD (Planned Unit Development) and a Small Scale Land Use Amendment from LDR to MDR. The requested zoning and land

Reviewed by:  
Co Atty: \_\_\_\_\_  
DFS: \_\_\_\_\_  
OTHER: \_\_\_\_\_  
DCM: \_\_\_\_\_  
CM: \_\_\_\_\_

File No. Z2006-061

use will allow a maximum of 16 condominium units with a maximum net density of 8.16 dwelling units per net buildable acre.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the request for a Small Scale Land Use Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) and rezone from A-1 (Agriculture) to PUD (Planned Unit Development) for a 16-unit condominium development on 3.8± acres, located on the north side of Longwood Hills Road and west of CR 427, and approval of the attached Preliminary Master Plan and Development Order, per staff findings.

Attachments:

Staff Report  
Preliminary Master Plan  
Location Map  
Land Use & Zoning Map  
Aerial Map  
School District Capacity Analysis  
Approval Development Order  
Land Use Ordinance  
Rezone Ordinance  
Denial Development Order (applicable if the request is denied)  
Applicant's Justification Statement  
City of Longwood Utility Letter

Longwood Hills Road Condominium Rezone and SSLUA		
APPLICANT	Mike Towers, Oakwood Construction and Development	
PROPERTY OWNER	Mike Towers	
REQUEST	SSLUA from LDR to MDR and rezone from A-1 (Agriculture) to PUD (Planned Unit Development)	
PROPERTY SIZE	3.8 ± acres	
HEARING DATE (S)	P&Z: October 4, 2006	BCC: November 07, 2006
PARCEL ID	29-20-30-5AT-0000-0120	
LOCATION	Located at 131 Longwood Hills Road, north side of Longwood Hills Road and west of CR 427.	
FUTURE LAND USE	LDR (Low Density Residential)	
ZONING	A-1 (Agriculture)	
FILE NUMBER	Z2006-061	
COMMISSION DISTRICT	#4 – Henley	

#### Proposed Development:

The applicant is proposing to develop sixteen (16) condominium units at a net density of 8.16 dwelling units per net buildable acre.

#### ANALYSIS OVERVIEW:

##### **ZONING REQUEST**

The applicant is requesting a Small Scale Land Use Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) and rezone from A-1 (Agriculture) to PUD (Planned Unit Development) for a 16-unit condominium development on 3.8± acres, located on north side of Longwood Hills Road and west of CR 427. The requested zoning and land use will allow will allow a maximum of 16 condominium units with a maximum net density of 8.16 dwelling units per net buildable acre.

The following tables depict the minimum regulations for the current zoning district of A-1 (Agriculture) and the requested district of PUD (Planned Unit Development):

DISTRICT REGULATIONS	Existing Zoning (A-1)
Minimum Lot Size	1-acre
Minimum House Size	N/A
Minimum Width at Building Line	150 feet
Front Yard Setback	50 feet
Side Yard Setback	10 feet
(Street) Side Yard Setback	50 feet
Rear Yard Setback	30 feet
Maximum Building Height	35 feet

<b>DISTRICT REGULATIONS</b>		<b>Proposed Zoning (PUD)</b>
Minimum Lot Size		All condominium units will be alike in size (approximately 25x80).
Minimum Condominium Size		3,000 sq. ft. of living area
Minimum Width at Building Line		N/A*
Front Setback from Longwood Hills Road		49 feet
Side Yard Setback from eastern property boundary		43 feet
Side Yard Setback from western property boundary		295 feet
Rear Yard Setback from northern boundary		14 feet
Maximum Building Height		35 feet

\* The width at building line is a code requirement for lots that are owned fee simple. This project will consist of condominium units that will not be owned fee simple and does not need to meet this requirement.

### PERMITTED & SPECIAL EXCEPTION USES

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

<b>Uses</b>		<b>A-1 (existing)</b>	<b>PUD (proposed)</b>
Permitted Uses	Agricultural uses such as citrus or other fruit crops cultivation, production and horticulture, truck farms, plant nurseries and greenhouses not involved with retail sales to the general public, silva culture, public and private elementary schools, publicly owned and/or controlled parks and recreation areas, bait production, stables, barns, single-family dwelling including one (1) guesthouse or cottage, docks and boathouses, churches, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.		16 unit Condominium development
Special Exception Uses	Cemeteries and mausoleums, kennels including the commercial raising or breeding of dogs, hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes, public and private nursery schools, kindergartens, middle schools, high schools and colleges, public utility and service structures, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, privately owned and operated recreational facilities open to the paying public, such as athletic fields, stadium, racetracks, and speedways, golf driving ranges, riding stables, water plants, and sanitary landfill operations, off-street parking lots, farm worker housing, mobile homes, retail nurseries, landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, communication towers, bed and breakfast establishments.		N/A
Minimum Lot Size	1-Acre		All condominium units will be alike in size (approximately 25x80).

## **COMPATIBILITY WITH SURROUNDING PROPERTIES**

Staff has reviewed the request to determine compatibility with surrounding developments, and determined the request is compatible. The subject site is surrounded by the City of Longwood on four (4) sides. The properties surrounding the subject site on the east, west and north have a Medium Density Future Land Use designation which this proposal is consistent with. The property to the south has the Conservation and Low Density Residential Future Land Use designation; however, this property is located across Longwood Hills Road.

## **SITE ANALYSIS:**

### **ENVIRONMENTAL IMPACTS**

#### *Floodplain Impacts:*

Based on FIRM map number 12117C01130E, the western portion of the site is located within the 100 year flood plain. Also, based on preliminary DFIRMs, which the County generally considers best available information, a significantly larger portion of the site lies within the 100 year floodplain.

#### *Wetland Impacts:*

Based on County wetland map analysis and the survey submitted with the application, there are wetlands on the subject property. The jurisdictional wetland line must be reviewed by SJRWMD staff. Compliance with the Land Development Code regarding development within and around wetland areas is required prior to the issuance of any building permits.

#### *Endangered and Threatened Wildlife:*

Based on preliminary analysis, there are no endangered and threatened wildlife on the subject property. A threatened and endangered study along with a species of special concern survey will be required prior to final site plan approval.

### **PUBLIC FACILITY IMPACTS**

Rule 9J-5.0055(3), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time. The applicant will be required to undergo Concurrency Review prior to final engineering approval.

The following table depicts the impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (A-1)*	Proposed Development (7 Lot PUD) <sup>1</sup>	Net Impact
Water (GPD)	350	5,360	+5,010
Sewer (GPD)	300	4,800	+4,500
Traffic (ADT)	10	94	+84

\* Impacts based on one single-family residence.

<sup>1</sup> Proposed PUD Development is based on 16 units requested by the applicant.

#### *Utilities:*

The site is located in the service area of the City of Longwood. A letter from the City of Longwood is attached.

#### *Transportation / Traffic:*

The property is adjacent to Longwood Hills Road which is classified as a Major Collector road. Longwood Hills Road is not currently programmed to be improved according to the County 5-year Capital Improvement Program.

#### *School Impacts:*

Based on the formulas provided by the Seminole County School District, the proposed zone change will generate approximately four (4) school age children. The Seminole County Public School District has prepared an analysis regarding impacts resulting from recently platted residential developments that are served by the same schools as the subject property, but are not yet included in school capacity numbers. This analysis is included as an attachment to this report.

#### *Public Safety:*

The nearest response unit to the subject property is Station # 15, which is located at 301 Warren Avenue. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is under 5 minutes. The County level-of-service standard for response time is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan.

#### *Drainage:*

The proposed project is located within the Wicheewatchee drainage basin. There is no positive outfall for the subject property; therefore the applicant will be required to contain a 100 year/24 hour stormwater event.

#### *Parks, Recreation and Open Space:*

The applicant has designated 1.02 ± acres of open space, per Section 30.451 (e) of the Land Development Code. The open space is being provided through the use of the

court yard area that will consist of planters and fountains and the wetland area (30% of the wetland area is included in the calculation). Access to the wetland area is provided via a mulched path coming from the western drive isle. Wetlands have historically been allowed to be counted toward open space as they provide a green area that can be commonly enjoyed by all participants of the PUD. However, the wetland areas counted toward open space cannot exceed Section 30.1344 (3) (D).

#### *Buffers and Sidewalks:*

The applicant is providing a 23-foot landscape buffer along the southern property line and a 10-foot landscape buffer along the eastern property line with a 6' masonry wall. Additionally, the buffer along the northern property line will consist of a 14-foot landscape buffer with a 6-foot high masonry wall and the west property line is buffered by 1.2 acres of wetlands with a 6-foot high masonry wall on the eastern side of the wetland.

### **APPLICABLE POLICIES:**

#### **FISCAL IMPACT ANALYSIS**

This project does not warrant running the County Fiscal Impact Analysis Model.

#### **SPECIAL DISTRICTS**

The subject property is not within a special district.

#### **COMPREHENSIVE PLAN (VISION 2020)**

The following policies are applicable with the proposed project:

Policy CIE 3.2:	Application to New Development
Policy FLU 2.5:	Transitional Land Uses
Policy FLU 2.11:	Determination of Compatibility in PUD and PCD Zoning Classifications
Policy PUB 2.1:	Public Safety Level-of-Service
Policy CON 1.8:	Conservation Overlay District
Policy TRA 1.1:	County Level-of-Service Standards/TRA Exhibit-14

### **INTERGOVERNMENTAL NOTIFICATION:**

Intergovernmental notice was sent to the Seminole County School District on September 19, 2006. The School District has provided a School Capacity Report, which is attached. The City of Longwood is not a party to the Intergovernmental Planning Coordination Agreement of 1997 and did not receive a notice.

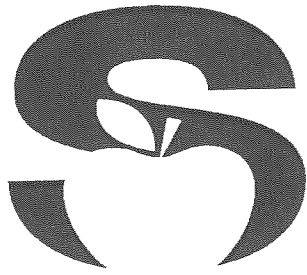
### **LETTERS OF SUPPORT OR OPPOSITION:**

At this time, Staff has received no letters of support or opposition.

### **STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the request for a Small Scale Land Use Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development) for a 16-unit condominium development on 3.8± acres, located on the north side of Longwood Hills Road and west of CR 427, and approval of the attached Preliminary Master Plan and Development Order, per staff findings.





## SEMINOLE COUNTY PUBLIC SCHOOLS School Capacity Report

**To:** Seminole County Board of County Commissioners

**From:** George Kosmac, Deputy Superintendent, Seminole County Public Schools

**Date:** September 20, 2006

**RE:** Z2006-061 Longwood Hills FLU/Rezone

Seminole County Public Schools (SCPS), in reviewing the above rezone request, has determined that if approved the new zoning designation would have the effect of increasing residential density, and as a result generate additional school age children.

**Description** – 3.8 +/- acres located on the north side of Longwood Hills Road and west of CR 427 from future land use of LDR to MDR and rezone from A-1 (Agricultural) to PD (Planned Development) to allow construction of 16 condominium units. Parcel ID 29-20-30-5AT-0000-0120.

Based on information received from Seminole County Planning and from the staff report for the request, SCPS staff has summarized the potential school enrollment impacts in the following tables:

Total Proposed units					
Total # of Units		# of Single-Family Lots		# of Multi-Family Units	
16		0		16	
Student Generation					
Impacted Schools	Projected Number of Additional Students	Current Capacity	Current Enrollment	Percent Utilization	Students Resulting from Recently Approved Developments
Elementary Longwood	2	715	669	93.6	13
Middle Greenwood Hills	1	1281	1176	91.8	17
High Lake Mary	1	2831	2601	91.9	19

**Projected Number of Additional Students** is determined by applying the current SCPS student generation rate (calculated by using US Census data analysis) to the number

and type of units proposed. The number of units is determined using information provided by the County and/or from the applicant's request. If no unit count is provided the unit count is then estimated based on the maximum allowable density under the existing/proposed future land use designation.

**Current Capacity** is based on the current (February 2006) enrollment full time equivalent student (FTE) date not including relocatable stations.

**Current Enrollment** is based on the most recent official FTE count (February 2006).

**Full Time Equivalent (FTE)** A calculation of student enrollment conducted by The Florida Department of Education (FDOE) authorized under Section 1011.62, Florida Statutes to determine a maximum total weighted full-time equivalent student enrollment for each public school district for the K-12 Florida Educational Funding Program (FEFP).

**Percent Utilization** is the ratio of enrollment to available permanent student stations. The utilization ratio is based on the total DOE assigned student stations (FISH) available in a school.

**Students Resulting from Recently Platted Developments** is a summary of the number of students estimated to be generated from developments approved and platted within the respective school attendance zones since January 2005.

**Comments:**

The students generated from the new residential dwelling units could be absorbed into the elementary, middle, and high schools at this time without the increased use of relocatable student stations (portables) or significant reduction in level of service at the affected campus. There are no planned expansions/additions in the current five-year capital plan that would provide additional student capacity to relieve any of the affected schools.

## SEMINOLE COUNTY DEVELOPMENT ORDER

On November 7, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as **Exhibit A.**

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

### FINDINGS OF FACT

**Property Owner:** Mike Towers

**Project Name:** Longwood Hills Condominium Rezone and Small Scale Land Use Amendment

#### **Requested Development Approval:**

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owners of the property have expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Mike Rumer  
1101 East First Street  
Sanford, Florida 32771

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development's approval, all of which have been accepted by and agreed to by the owner of the property are as follows;

Standard Conditions:

- a. All development shall comply with the Development Plan attached as Exhibit B.
- b. The maximum building height shall be two stories, not to exceed 35'.
- c. Permitted uses shall be condominiums, home offices, home occupations, and customary recreational facilities for the use of the residents.
- d. All landscape buffers and common areas shall be maintained by a homeowners association.
- e. The development shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside the development.
- f. Converting garages to living space shall be prohibited.
- g. Storage of RVs and boats on the site shall be prohibited.
- h. Guest parking shall be provided at a minimum rate of 1 space per 3 dwelling units in addition to the required two spaces per dwelling unit.

Project Specific Conditions:

- a. The project shall be developed at a maximum density of 8.16 dwelling units per net buildable acre, not to exceed 16 condominium units.
- b. The minimum living space for each condominium shall be 3,000 sq. ft.
- c. Permitted uses shall be condominiums, home offices, home occupations, and customary recreational facilities for the use of the residents.
- d. The following minimum buffer standards shall apply:
  - The applicant will provide a 10-foot landscape buffer along the eastern property line and contain a 6-foot high masonry wall.
  - The applicant will provide a 14-foot landscape buffer along the northern property line and contain a 6-foot high masonry wall.
  - The applicant will provide a 23-foot landscape buffer along the southern property line, adjacent to Longwood Hills Road.
  - The western property line will contain a 6-foot high masonry wall.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said

property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owners of the said property have expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

**Done and Ordered on the date first written above.**

Attest: \_\_\_\_\_  
Maryanne Morse  
Clerk to the Board of County Commissioners

By: \_\_\_\_\_  
Board of County Commissioners  
Carlton D. Henley, Chairman

**COMES NOW**, the owner, Mike Towers, on behalf of himself and his heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Print Name

Print Name

COUNTY OF SEMINOLE )

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2006.

My Commission Expires:

AN ORDINANCE FURTHER AMENDING ORDINANCE NUMBER 91-13, AS PREVIOUSLY AMENDED, KNOWN AS THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN BY VIRTUE OF SMALL SCALE DEVELOPMENT AMENDMENT (LEGAL DESCRIPTION IS SET FORTH AS AN APPENDIX TO THIS ORDINANCE); CHANGING THE FUTURE LAND USE DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM THE SEMINOLE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 91-13 which adopted the 1991 Seminole County Comprehensive Plan ("the Plan"), which Plan has been subsequently amended from time-to-time and in accordance with State law; and

WHEREAS, the Board of County commissioners has followed the procedures set forth in Sections 163.3184 and 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Small Scale Development Amendment; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Local Planning Agency held a Public Hearing, with all required public notice, October 4, 2006 for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners held a Public Hearing on November 7, 2006, with all required public notice for the purpose of hearing and

considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is internally consistent, is consistent and compliant with the provisions of State law including, but not limited to, Part II, Chapter 163, Florida Statutes, the State Comprehensive Plan, and the Comprehensive Regional Policy Plan of the East Central Florida Regional Planning Council.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

**Section 1. RECITALS/LEGISLATIVE FINDINGS:**

- (a) The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.
- (b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.



Section 2. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE LAND USEDESIGNATION:

(a) The Future Land Use Element's Future Land Use Map as set forth in Ordinance Number 91-13, as previously amended, is hereby further amended by amending the future land use designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Appendix "A" to this Ordinance:

## Amendment Appendix "A"

- (b) The associated rezoning request was completed by means of Ordinance Number 06- \_\_\_\_\_.
- (c) The development of the property is subject to the development intensities and standards permitted by the overlay Conservation land use designation, Code requirements and other requirements of law.

Section 3. SEVERABILITY:

If any provision of this Ordinance or the application to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

Section 4. EXCLUSION FROM COUNTY CODE/CODIFICATION:

- (a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the Code Codifier shall have liberal authority to codify this Ordinance as a separate document or

as part of the Land Development Code of Seminole County in accordance with prior directions given to said Code Codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan, as amended.

Section 5. EFFECTIVE DATE:

(a) A certified copy of this Ordinance shall be provided to the Florida Department of State and the Florida Department of Community Affairs by the Clerk of the Board of County Commissioners in accordance with Section 125.66 and 163.3187, Florida Statutes.

(b) This ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the plan amendment set forth herein shall be thirty-one (31) days after the date of adoption by the Board of County Commissioners or, if challenged within thirty (30) days of adoption, when a final order is issued by the Florida Department of Community Affairs or the Administration Commission determining that the amendment is in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land use dependent on an amendment may be issued or commence before an amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, the affected amendment may nevertheless be made effective by the Board of County Commissioners adopting a resolution affirming its effective status, a copy of which resolution shall be provided to the Florida Department of Community Affairs, Bureau of Local Planning, 2555

Shumard Oak Blvd., Tallahassee, Florida 32399-2100 by the Clerk of the Board of  
County Commissioners.

ENACTED this 7th day of November, 2006.

BOARD OF COUNTY COMMISSIONERS  
OF SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_

Carlton D. Henley, Chairman

APPENDIX A

**Legal Description**

Lot 12 and the East 215.88 feet of Lot 13, Longwood Hills, according to the Plat thereof, as recorded in Plat Book 6, Pages(s) 15-16, Public Records of Seminole County, Florida.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LEGAL DESCRIPTION ATTACHED AS EXHIBIT A); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

**Section 1. LEGISLATIVE FINDINGS.**

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled, "Longwood Hills Condominium Rezone and Small Scale Land Use Amendment".

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

**Section 2. REZONINGS.** The zoning classification assigned to the following described property is changed from A-1 to PUD:

**SEE ATTACHED EXHIBIT A.**

**Section 3. TERMS.** This rezoning incorporates, and is contingent upon, execution of the Longwood Hills Condominium PUD Development Order.

**Section 4. EXCLUSION FROM CODIFICATION.** It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

**Section 5. SEVERABILITY.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**Section 6. EFFECTIVE DATE.** A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon the date of filing with the Department and recording of the Longwood Hills Condominium PUD Development Order in the Official Land Records of Seminole County.

ENACTED this 7th day of November, 2006.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Carlton D. Henley  
Chairman

**EXHIBIT A**

**Legal Description**

Lot 12 and the East 215.88 feet of Lot 13, Longwood Hills, according to the Plat thereof, as recorded in Plat Book 6, Pages(s) 15-16, Public Records of Seminole County, Florida.

## **SEMINOLE COUNTY ADMINISTRATIVE ORDER**

On November 7, 2006, Seminole County issued this Administrative Order relating to and touching and concerning the following property described in the attached legal description as Exhibit "A".

**Property Owner(s):** Mike Towers

**Project Name:** Longwood Hills Road Rezone and SSLUA

**Requested Development Approval:** The applicant is requesting a Small Scale Land Use Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development) for a 16-unit condominium development on 3.8± acres, located on north side of Longwood Hills Road and west of CR 427.

The Board of County Commissioners has determined that the Small Scale Land Use Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development) is not compatible with the surrounding area.

After fully considering staff analysis titled "Longwood Hills Road Rezone and SSLUA" and all evidence submitted at the public hearing on November 07, 2006, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested Small Scale Land Use Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development) should be denied.

### **ORDER**

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

The aforementioned application for development approval is **DENIED**.

**Done and Ordered on the date first written above.**

**SEMINOLE COUNTY BOARD OF COUNTY  
COMMISSIONERS**

By: \_\_\_\_\_  
Carlton D. Henley, Chairman



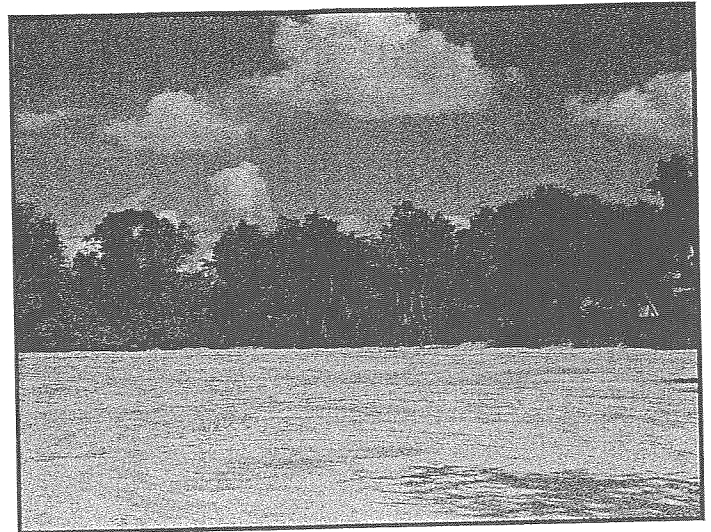
**EXHIBIT "A"**

Lot 12 and the East 215.88 feet of Lot 13, Longwood Hills, according to the Plat thereof, as recorded in Plat Book 6, Pages(s) 15-16, Public Records of Seminole County, Florida.

### **Project Description:**

The applicant is proposing a 16 unit up-scale residential townhome development on approximately 3.8 acres. Of the 3.8 acres, 2.6 acres are uplands.

The units will be approximately 3,000 sq. ft under air and heat with two car garages. The garages will be rear entry. Vehicle access will not be permitted in front of the units as this will be a pedestrian courtyard lined with landscaping, fountains, and brick pavers. Sidewalks will connect the guest parking to the pedestrian courtyard. The max height will be 35' or two stories. The sales price per unit will start at approximately \$500,000.

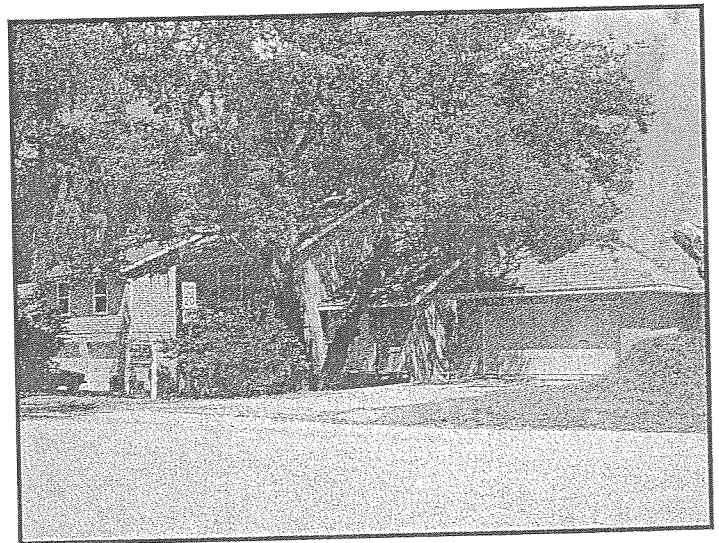


### **Compatibility & Surrounding Land Uses:**

The subject property is surrounded by the City of Longwood on three (3) sides, on the north, west, and south.

The property to the west is buffered from potential development of this site by a wetland system. The adjacent land to the north is in the City of Longwood and has a Future Land Use designation of Medium Density Residential (MDR) and General Commercial (GC).

The land to the south of the subject property has City of Longwood Future Land Use Designation of LDR with a conservation overlay. There is one existing home to the south across Longwood Hills Road but the remainder of the land adjacent to the subject property is wetlands. The one home owner to the south has already



expressed support of the proposed project. In addition, they are separated from this site by Longwood Hills Road and will be buffered with a landscape buffer along the property line of the subject property.

The property to the north, which as a land use designation of MDR has lots adjacent to the subject property that are approximately 50 ft. in width. These lots will also be buffered from the proposed development with a landscape buffer. See picture inset above.

The area is made up of a mix of low density residential and medium density residential. The proposed development will be designed to be compatible with the surrounding area and be consistent with the development pattern of a mix of LDR and MDR.

#### **Comprehensive Plan Consistency:**

The proposed project is consistent with the following Goals, Objectives, and Policies of the Seminole County Comprehensive Plan.

The proposed project is infill development with urban services that will maximize density on the property and help to discourage sprawl. Urban Sprawl as identified in Issue FLU 4 of the Seminole County Comprehensive Plan includes large expanses of low density single dimensional development.

The proposed project is consistent with Future Land Use Policy 4.2 of the Seminole County Comprehensive Plan because it addresses an infill development opportunity and will help to provide a mix of residential uses.

According to the Future Land Use Element of Seminole County's Comprehensive Plan Issue FLU 3, per the adopted Future Land Use map it is projected that between 2015 and 2020 the County will experience a shortage of vacant developable land for single family and multi-family development and among options available to address this shortage includes amending the plan to allow increased densities within existing residential designations.

The proposed development is consistent with Future Land Use Objective 2 that states that the County shall ensure the long term viability of residential neighborhoods by regulating future development to create compatibility with surrounding land uses. The proposed development is compatible with surrounding

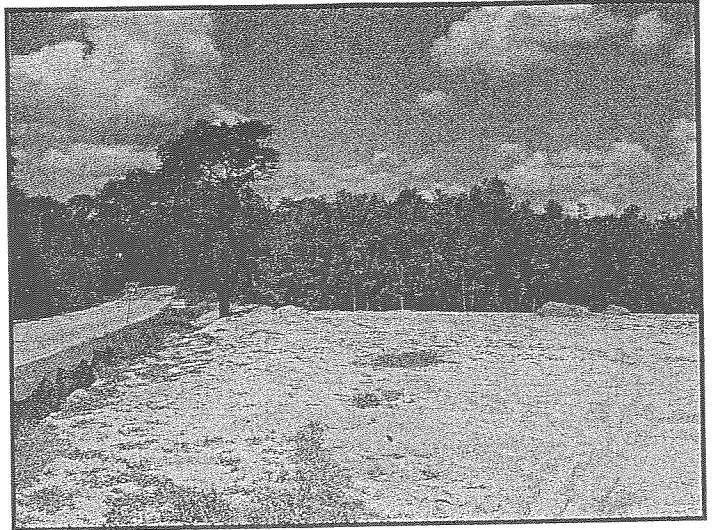
land uses and through the PUD rezone process the design of the site will ensure consistency and compatibility with adjacent land uses.

**Consistency with the Urban Sprawl**

**Rule:** The following statements address the application of each sprawl indicator listed below to the proposed comprehensive plan amendment.

**Rule 9J-5.006.5.1:**

The proposed amendment does promote a higher density development than what would be permitted under its current zoning classification.



**Rule 9J-5.006.5.2:**

The proposed land use amendment does not promote significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas. Nor does the proposed land use amendment promote leaping over undeveloped land. The subject property is located in the urban area and has urban development surrounding it. The proposed development could be classified as infill.

**Rule 9J-5.006.5.3:**

The proposed amendment does not promote radial, strip, or isolated development patterns.

**Rule 9J-5.006.5.4:**

The proposed land use amendment will not result in any negative impacts to the natural resources of the property.

**Rule 9J-5.006.5.6:**

Development of the property will utilize existing public facilities and services.

**Rule 9J-5.006.5.8:**

The proposed amendment will not result in any negative impacts to the County's infrastructure. Development of the property does not allow for land use patterns

or timing that disproportionately increases the cost in time, money and energy, of providing and maintaining facilities and services.

**Rule 9J-5.006.5.9:**

The proposed amendment does not impact the separation between urban and rural uses. The property is located in an urban area of the County. The property is bordered by residential subdivisions with similar densities.

**Rule 9J-5.006.5.10:**

The proposed amendment does not discourage infill development or the redevelopment of existing neighborhoods.

**Rule 9J-5.006.5.12:**

The proposed amendment does not result in poor accessibility. Access shall be provided on Longwood Hills Road.

**Rule 9J-5.006.5.13:**

The proposed amendment does not result in the loss of significant amounts of open space. Development of the property will be subject to the County's land development regulations for required open space, stormwater management, and buffers.



## City of Longwood

175 WEST WARREN AVENUE  
PHONE (407) 260-3440

LONGWOOD, FLORIDA 32750-4197  
FAX (407) 260-3419

Seminole County Development Review  
Planning And Development Department  
1101 East First Street  
Sanford, FL 32771

August 24, 2006

To Whom It May Concern:

Please accept this letter as notification that public utility service from the City of Longwood is not currently available to the property located at 131 Longwood Hills Road, Parcel 29-20-30-5AT-0000-0120. Longwood City Code 90-38 (c) requires that enclave properties annex into the City before public utility service can be provided.

**90-38 (c) Annexation Agreement.** If application is made for public utilities service to property located outside the city boundaries that is contiguous to the existing city boundaries or is an enclave within the city boundaries, the property owner shall simultaneously annex the property into the city as a prerequisite to the provision of public utilities service to the property.

The subject property is currently an enclave under Seminole County's jurisdiction and has not been annexed into the City of Longwood; therefore the City is prohibited from providing utility service even though utility lines and capacity may exist. If the developer wishes to receive utility service from the City of Longwood, he may contact the City's Community Development Division to discuss the annexation process.

This letter supersedes any previous correspondence related to utility availability to this site. Previous letters were written during a recent annexation process to the City which has been withdrawn.

If you have any questions or need additional information please feel free to contact me at (407) 263-2388.

Sincerely,

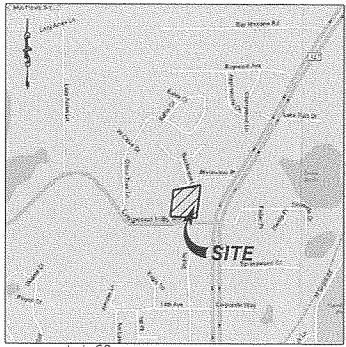
Richard Kornbluh  
Utilities Manager

Cc: John Drago, City Administrator  
Pat Miller, Community Services Director  
Paul Sizemore, Community Services Coordinator

City Mission:  
"Enhancing the Quality of Life for Our Citizens"

PROPERTY FIXTURES	
1	FLORIDA POWER LIGHT TRANSFORMER
2	STREETLIGHT/FLOWERBED
3	STAIRS/VEHICLE BARRIER
4	FOUNTAIN
5	PLANTER

BUFFERS		
LOCATION	WIDTH	PLANTING
NORTH	14'	HEDGE/IVY
EAST	10'	HEDGE/IVY
SOUTH	23'	4 TREES/100' HEDGE



LOCATION MAP  
NOT TO SCALE

CONTACT INFORMATION

APPLICANT	MICHAEL F. TOWERS OAKWOOD CONSTRUCTION AND DEV. 754 FLEET FINANCIAL COURT LONGWOOD, FL 32750
PLANNER:	IVEY PLANNING GROUP, LLC 1309 S. INTERNATIONAL PARKWAY LAKEMARY, FL 32746 PHONE: 407-660-8881 FAX: 407-660-8886
SURVEYOR:	JPI SURVEYING AND MAPPING, INC. 6001 BRICK COURT, SUITE 117 WINTER PARK, FL 32792 PHONE: 407-678-3366 FAX: 407-671-6678

PROJECT INFORMATION

PROJECT DESCRIPTION

THE PROJECT WILL CONSIST OF CONDOS WITH A TOTAL OF 8.1 UNITS PER ACRE FOR A TOTAL OF 16 CONDOS.

SITE DATA

LOCATION:	131 LONGWOOD HILLS ROAD
PARCEL ID:	29-20-30-5A1-000-0120

ACREAGE

GROSS ACREAGE	3.8 ACRES
WETLANDS	0.372 ACRES
GREEN SPACE & BUFFERS	.83 ACRES
TOTAL	1.202 ACRES
ROADS	.60 ACRES
NET BUILDABLE	1.96 ACRES
NET DENSITY	8.16 DU/ACRES

PARKING SUMMARY

	REQUIRED	PROVIDED
GARAGE SPACES	32 SPACES	37 SPACES
	2 SPACES PER DU	2.33 SPACES PER DU
VISITOR SPACES		12 SPACES
TOTAL	32 SPACES	49 SPACES

ZONING CLASSIFICATION

CLASSIFICATION	
EXISTING ZONING	A-1 (AGRICULTURE)
EXISTING USE	VACANT
PROPOSED ZONING	PUD (PLANNED UNIT DEV.)
PROPOSED FUTURE LAND USE	MDR
	(MED. DENSITY RESIDENTIAL)
FUTURE LAND USE DESIGNATION	LDR (LOW DENSITY RES)
	(LOW DENSITY RESIDENTIAL)

LOT BULK REQUIREMENTS

BUILDING HEIGHT	35' OR 2 STORIES
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UTILITIES

WATER AND SEWER UTILITIES DESIGN SHALL MEET THE REQUIREMENTS OF SEMINOLE COUNTY, THE CITY OF LONGWOOD AND FDEP.

SANITARY:	PROVIDED BY THE CITY OF LONGWOOD
WATER:	PROVIDED BY THE CITY OF LONGWOOD

STORMWATER

THE PROPOSED STORMWATER MANAGEMENT SYSTEM SHALL BE DESIGN TO MEET THE REQUIREMENTS OF SEMINOLE COUNTY AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT. A PORTION OF THE RETENTION WILL BE UNDER THE PARKING AND DRIVING AISLES IN VAULTS OR EXFILTRATION SYSTEM.

BUFFERS

SEE BUFFER TABLE.

OPEN SPACE

25% OPEN SPACE REQUIRED (3.8 ACRES X 25% = .95 ACRES).

OPEN SPACE PROVIDED (30% WETLANDS (0.37 ACRES) AND COURTYARD/BUFFER (0.83 ACRES) FOR A TOTAL OF 1.02 ACRES).

FLOOD ZONE

PARCEL IS LOCATED WITHIN FLOOD ZONE AE AND X PER FEMA.

PRIVATE ROAD & COMMON AREAS

THE PRIVATE ROAD AND THE COMMON AREAS WILL BE OWNER AND MAINTAINED BY THE H.O.A. COMMON AREAS SHALL HAVE PEDESTRIAN CONNECTIONS FOR RECREATIONAL USES. FINAL LOCATION AND DESIGN TO BE DETERMINED AT FINAL MASTER PLAN STAGE.

IMPACT ANALYSIS

SCHOOLS: BASED ON 16 UNITS	
ELEMENTARY SCHOOL:	2 STUDENTS
MIDDLE SCHOOL:	1 STUDENT
HIGH SCHOOL:	1 STUDENT
TOTAL:	4 STUDENTS

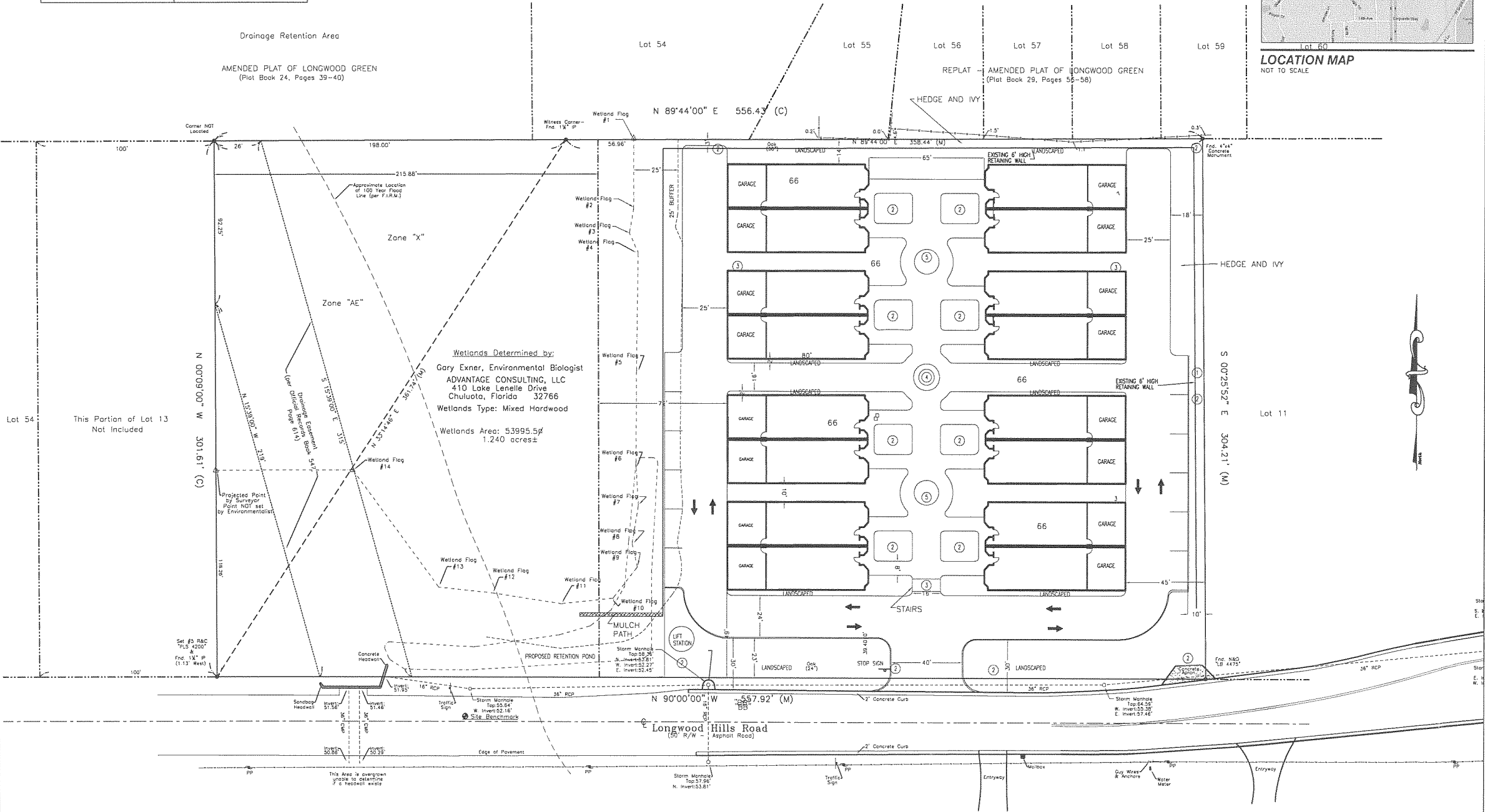
ROADS:	94 ADT AND 8 PEAK TRIPS
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**LONGWOOD HILLS PUD**  
LONGWOOD, FLORIDA  
SEMINOLE COUNTY  
LONGWOOD HILLS AND C.R. 427

TITLE: PRELIMINARY PUD PLAN  
PROJECT NUMBER: TOWERS\_01

Town Planners & Community Builders

SCALE: 1"=30'-0"



9/14/06	REVISIONS PER DRC MEETING	JSS	MW
DATE	REVISIONS	BY	CHECKED